



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART III

#### CONTROL OVER DEVELOPMENT

##### *Revocation and modification of planning permission [<sup>F1</sup>or permission in principle]*

#### **100 Revocation and modification of planning permission [<sup>F1</sup>or permission in principle] by the Secretary of State.**

- (1) If it appears to the Secretary of State that it is expedient that an order should be made under section 97, he may himself make such an order.
- (2) Such an order which is made by the Secretary of State shall have the same effect as if it had been made by the local planning authority and confirmed by the Secretary of State.
- (3) The Secretary of State shall not make such an order without consulting the local planning authority.
- (4) Where the Secretary of State proposes to make such an order he shall serve notice on the local planning authority.
- (5) The notice shall specify the period (which must not be less than 28 days from the date of its service) within which the authority may require an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (6) If within that period the authority so require, before the Secretary of State makes the order he shall give the authority such an opportunity.
- (7) The provisions of this Part and of any regulations made under this Act with respect to the procedure to be followed in connection with the submission by the local planning authority of any order under section 97 and its confirmation by the Secretary of State shall have effect, subject to any necessary modifications, in relation to any proposal by the Secretary of State to make such an order and its making by him.

---

*Status: Point in time view as at 09/05/2024.*

*Changes to legislation: Town and Country Planning Act 1990, Section 100 is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

---

<sup>F2</sup>[(8) Subsections (5) and (6) of section 97 apply for the purposes of this section as they apply for the purposes of that.]

**Textual Amendments**

- F1** Words in s. 100 heading inserted (E.) (27.3.2017) by [The Housing and Planning Act 2016 \(Permission in Principle etc\) \(Miscellaneous Amendments\) \(England\) Regulations 2017 \(S.I. 2017/276\)](#), regs. 1, **3(5)**
- F2** S. 100(8) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, **Sch. 1 para.5** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

**Status:**

Point in time view as at 09/05/2024.

**Changes to legislation:**

Town and Country Planning Act 1990, Section 100 is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.